

MINTZ LEVIN

Charles E. Bell | 617 210 6830 | cebell@mintz.com

One Financial Center
 Boston, MA 02111
 617-542-6000
 617-542-2241 fax
www.mintz.com

fax transmittal

RECEIVED
 CENTRAL FAX CENTER
 SEP 27 2006

FROM:

Name Charles E. Bell
Date September 27, 2006
of Pages 4 (including cover sheet)

To:

| Name | Company | Business# | Fax # |
|---|--|--------------|--------------|
| Examiner Maury Audet Group Art Unit 1654 | United States Patent & Trademark Office | 571-272-0960 | 571-273-8300 |

Comments:

Re: U.S. Patent Application No. 10/698,510
Title: Leptin-Related Peptides
Filed: October 31, 2003
Attorney Docket No. 29708-501 CIP (formerly 19705-001 CIP)

Examiner Audet,

Please see attached Terminal Disclaimer for the above-referenced application.

Please call us at 617-542-6000 if you experience any problems.

TRA 2204031v.1

STATEMENT OF CONFIDENTIALITY

The information contained in this fax is intended for the exclusive use of the addressee and may contain confidential or privileged information. If you are not the intended recipient, you are hereby notified that any form or dissemination of this communication is strictly prohibited. If this fax was sent in error, please immediately notify us by phone.

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

BOSTON | WASHINGTON | NEW YORK | STAMFORD | LOS ANGELES | PALO ALTO | SAN DIEGO | LONDON

PAGE 1/4 *RCVD AT 9/27/2006 5:35:41 PM [Eastern Daylight Time]* SVR:USPTO-EFXRF-2/13*DNIS:2738300*CSID: * DURATION (mm:ss):01:40

VIA FACSIMILE
Date of Deposit: September 27, 2006

Attorney Docket No. 29708-501 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

SEP 27 2006

APPLICANTS: Grasso et al.

SERIAL NUMBER: 10/698,510

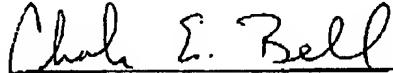
EXAMINER: Maury Audet

FILING DATE: October 31, 2003

ART UNIT: 1654

FOR: *Leptin-Related Peptides***CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to the United States Patent and Trademark Office, Facsimile Number: (571) 273-8300 on this 27th day of September, 2006.



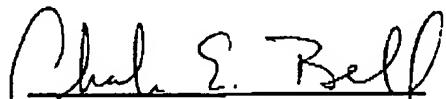
Charles E. Bell, Reg. No. 48,128

Transmitted herewith for filing in the above-referenced application are the following documents:

- Terminal Disclaimer (2 pgs.)

The Commissioner is hereby authorized to charge the required fee under 35 U.S.C. 1.20(d) of \$65.00 and any additional fees that may be due to Deposit Account No. 50-0311, Reference No. 29708-501 CIP.

Respectfully submitted,



Dated: September 27, 2006

Ivor R. Elrifi, Reg. No. 39,529
 Naomi S. Biswas, Reg. No. 38,384
 Charles E. Bell, Reg. No. 48,128
 Attorneys for Applicants
 c/o MINTZ LEVIN
 Telephone: (617) 542-6000
 Facsimile: (617) 542-2241
 Customer Number 30623.

VIA FACSIMILE
Date of Deposit: September 27, 2006

Attorney Docket No. 29708-501 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

SEP 27 2006

APPLICANTS: Grasso et al.
SERIAL NUMBER: 10/698,510 **EXAMINER:** Maury Audet
FILING DATE: October 31, 2003 **ART UNIT:** 1654
FOR: *Leptin-Related Peptides*

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

The owner, Albany Medical College, of 100 percent interest in the instant application (by virtue of the Assignment recorded at Reel/Frame: 016480/0879) hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173, as presently shortened by any terminal disclaimer over claims 1-6 of prior U.S. Patent No. 6,777,388. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of any patent granted on said reference application, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending

APPLICANT: Grasso et al.
SERIAL NUMBER: 10/698,510

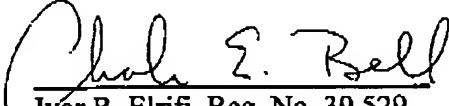
reference application, in the event that any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned, as Applicant's attorneys of record, file this Terminal Disclaimer and the corresponding fee required by 37 C.F.R. § 1.20(d). The Commissioner is authorized to charge any additional fees or credit any overpayment to the account of the undersigned, Deposit Account No. 50-0311, Ref. No. 29708-501 CIP.

Respectfully submitted,

Dated: September 27, 2006



Ivor R. Elrif, Reg. No. 39,529
Naomi S. Biswas, Reg. No. 38,384
Charles E. Bell, Reg. No. 48,128
Attorneys for Applicants
c/o MINTZ LEVIN
Telephone: (617) 542-6000
Facsimile: (617) 542-2241
Customer Number 30623.